

VERMONT TOBACCO EVALUATION AND REVIEW BOARD
BOARD MEETING

Wednesday, April 8, 2009 3:00 p.m. – 5:00 p.m.

The Pavilion Building, 109 State Street, Montpelier
Governor's 4th Floor Conference Room

Present: Brian Flynn, ScD, Theodore Marcy, MD, MPH, Edna Fairbanks-Williams, Amy Brewer, Greg MacDonald, Christy Taylor Mihaly, Deb Quackenbush (DOE), Karen Garbarino (VDH), Marcia Lawrence

MINUTES

Minutes appear in italicized typeface

Public Comment

(10 min)

Rebecca Ryan (representing the Coalition for a Tobacco Free Vermont) provided public comment about earmarks: The House Appropriations Committee eliminated the pregnant smoker and other earmarks in their budget bill. The prevalence rate for pregnant women had already decreased prior to the initiation of the FY2009 earmark. The earmark, if re-introduced, would divert scarce resources from the much larger number of other Vermonter smokers who are ready to quit. The comprehensive program focuses on all smokers, including pregnant smokers and women of child-bearing age. Brian asked if there is a role for the Board in this dialogue. Rebecca suggested speaking with Senator Bartlett to reinforce the importance of letting the comprehensive program continue without diverting resources through targeted earmarks. Brian thanked the Coalition for their work in the legislature.

Approval of Minutes

(5 min)

EDNA MOTIONED TO APPROVE THE MINUTES FROM THE MARCH 11TH MEETING; TED SECONDED; NONE OPPOSED. MINUTES ACCEPTED.

Legislative Updates

Christy and Others

(15 min)

- H46: An act relating to prohibiting lighted tobacco products outside state, county, and municipal buildings.

No activity on this bill (House Human Services Committee).

- H111: An act relating to children's access to tobacco products.

No activity on this bill.

- S7 (and H118) Acts to prohibit the use of lighted tobacco products in the workplace.

On the third reading, the bill raised concerns from a Veteran's home in Bennington that their residents should have the ability to continue to smoke.

As a result, a current amendment would exempt 40 nursing homes in the state. The AG's Office and VDH have been reviewing the implications, and have some concerns. There will be another read through on Friday and perhaps more testimony taken next week. The AG's Office and VDH would like to see the amendment eliminated. The Department of Disabilities, Aging and Independent Living (DAIL) has been consulted on this as well, as they are responsible for licensing nursing homes. The bill passed in the Senate with the nursing home exemption. Next, it is off to the House Committee; it was expressed that the overall bill is likely to pass.

- H167 (and S98) Acts relating to compliance testing of tobacco licensees.

The bill is still 'on the wall'. (No activity).

- H.401: An act relating to an increase in the tax rate for cigarettes, little cigars, roll-your-own tobacco, and tobacco products.

The bill is still 'on the wall.' The miscellaneous tax bill passed out of House Ways and Means does not include increasing cigarette tax, but it does include provisions to avoid under-taxing the new tobacco products. Question from Greg: If a bill is still on the wall is it 'dead'? Christy replied that this is the first year of a two year session; the bill is not likely to go anywhere this year but might next year.

Legislative Action on FY2010 CTCP Appropriations

(40 min)

There has been a lot of activity about appropriations recently. The draft House Appropriations bill proposes to cut the VDH program components by 17% rather than the 50% cut proposed by the Governor back in January. The current proposed reduction to the VDH is now \$650,000. This is better than the original governor's proposal of \$1.9 million. The Board has done a lot to contribute to this change including memoranda and testimony to the legislature. The language in the draft bill has also removed all previous earmarks. Brian reviewed the three recent Board memos to the legislature (February 18th, March 17th, and March 31st). Brian highlighted the most recent memo that suggests that other MSA funded programs be reviewed for cuts rather than solely focusing on the tobacco control program. Chris Finley asked about the March 31st memo, bullet number two. She was concerned that the VDH will lose control of the ability to allocate the funds. The bill currently reads that the Board will decide the allocations (line item amounts for various VDH program components). There was agreement that the intention is for the Board and the VDH to collaborate on such decisions. The statute which created the Board describes the Board's role in fiscal matters related to tobacco control. Brian also reviewed the memorandum from the VDH to tobacco control program partners regarding the current fiscal situation and related strategies.

Site Visit Schedule of Activities, April 29th

(10 min)

Ted reviewed the RTI site visit agenda for April 29th. The Evaluation Committee has, over the past year, discussed the importance of these site visits. The Board uses information from these site visits for programmatic planning and assess priorities. The RTI delegation will join a workgroup meeting with VDH staff and some Board members. RTI also will provide presentations on current evaluative activities to committees. There will not be a Board meeting during the site visit.

Workplan Objectives Discussion

(25 min)

Stephen and Sheri summarized the process by which the draft objectives were developed. Two of the Board's sub-committees have already discussed these within recent meetings. Stephen will compile all comments and send to Sheri for revisions. The objectives will then be posted on the Board's website. The Board will invite public comment on the objectives during the site visit. The final 2010-2011 TCP Workplan will be published in June. Agreement among all of the program's departments (VDH, DOE, and DLC) and the Board must be reached for the final Workplan. There will be a vote at the May meeting concerning approval of the objectives. We will look at 2020 Healthy People goals next year for the next revision in 2010.

Comments on specific workplan objectives follow:

- *Helping smokers quit: no mention of the goals of medication use. It was removed because it was felt that it was already being done very well. It is possible to put it back in. Ted sees an advantage to including it as an important public measure.*
- *Receive DLC training: Marcia had a language edit to specify that the objective relates to clerks that receive DLC training.*
- *Policy and environmental change: These can be broad or local policy changes in a variety of areas. Amy cautioned of the short time period for the expectations for policy change.*
- *Helping smokers quit: It may be difficult to get this information. Perhaps this can be changed to a process objective. What about tracking agencies that refer to cessation services? It is important to keep a mental health objective.*

Committee Updates

(10 min)

Amy updated the Board on the Community and School Programs Committee meeting that occurred last week. The meeting included budget, program, and evaluation updates. RTI is completing evaluations for schools and community coalitions. Amy mentioned the memorandum of understanding between VDH and DOE and that those meetings are ongoing. The Committee spent time at their last

meeting discussing the five approved curricula. SAMSHA has a website for evidence based programs. The Committee will be pulling in experts in recommending a direction to move forward with a more formal review process for approved curricula. There was a brief discussion about the nature of the ATOD programs.

Brian updated the Board on the Media Committee meeting that occurred early this week. Similar items were discussed, e.g.: budget, workplan objectives. The Committee reviewed the media calendar for the next fiscal year (2010). There are many items on the calendar that would be affected by the final FY2010 budget. The Committee discussed the possibilities, based on funding scenarios.

Other Business

(5 min)

Amy asked about the timing of the funding streams for grantees for FY2010. Sheri reported that there will be a six to eight week process for implementation; therefore there will not be a start day of July 1st, as is usually expected. Due to the timing of things, it is possible that community coalitions may not be able to participate in the SHS campaign that is scheduled. Chris Finley mentioned that one challenge within the VDH is minimizing the impact on partners. Christy announced that on April 9 at the Statehouse there will be a luncheon sponsored by the Coalition for a Tobacco Free Vermont featuring members from the original Tobacco Task Force.

Meeting adjourned at 4:28.

Minutes submitted by Stephen Morabito.

Draft minutes approved by Brian Flynn.